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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00006-01 SBA
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	VACATE HEARING AND CONTINUE
v.)	MATTER FOR STATUS HEARING ON
)	JANUARY 29, 2013
TONY D. LOMBARDI,)	
)	
Defendant.)	

Defendant Tony D. Lombardi and the government, by and through undersigned counsel, jointly request that the Court vacate the hearing presently set before Court on December 12, 2012 and continue this matter to January 22, 2013. In support of this request, the parties stipulate as follows:

1. The matter is presently set for a revocation of supervised release hearing before the Court on December 12, 2012.
2. Because one or more of the charges relate to facts that may give rise to additional federal criminal charges, the parties are presently discussing resolution of this matter in light of potential additional criminal charges.

3. The assigned prosecutor was not present when the December 12, 2012 hearing was set. This hearing conflicts with a pre-arranged, week-long training course.
4. After the week of December 17, 2012, defense counsel will not be available again until after January 11, 2012.
5. The assigned prosecutor has trial in another case set to begin on January 14, 2013 before the Honorable Phyllis J. Hamilton.
6. The parties have confirmed the assigned probation officer's availability for the proposed date.

For the reasons stated above, the parties respectfully request that the hearing presently set for December 12, 2012 be vacated and that this matter be continued to January 29, 2013 at 10:00 a.m.

So stipulated.

DATED: December 8, 2012

/s/

SETH P. CHAZIN, Esq.
Attorney for Defendant Lombardi

MELINDA HAAG
United States Attorney

/s/

ANDREW S. HUANG
Assistant United States Attorney


ORDER

FOR GOOD CAUSE SHOWN, IT IS FOUND AND ORDERED THAT:

1. The currently scheduled hearing on December 12, 2012 is VACATED.

2. This matter is SET for a Revocation of Supervised Release hearing on January 29, 2013 at 10:00 a.m.

DATED: 12/10/12


Hon. SAUNDRA BROWN ARMSTRONG
United States District Court Judge
Northern District of California